

Jurisdiction of claims compensable by contract or custom, see section 252 of this title.

Liability for overtime work performed prior to July 20, 1949, see section 216b of this title.

Liability of employers to United States for violation of Walsh-Healey Act, see section 36 of Title 41, Public Contracts.

Limitation of action under this section, commenced on or after May 14, 1947, see section 255 of this title.

Liquidated damages denied where employer establishes defense of good faith, see section 260 of this title.

Minimum wages payable to employees, see section 206 of this title.

Rate of compensation for overtime, see section 207 of this title.

Reliance by employer in future on administrative rulings as defense, see section 259 of this title.

Reliance by employer on past administrative rulings as defense, see section 258 of this title.

Removal of actions from State courts, see section 1441 et seq. of Title 28, Judiciary and Judicial Procedure.

Venue of action not founded on diversity of citizenship, see section 1391 of Title 28.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 255, 260, 626 of this title; title 2 section 1313; title 3 section 413; title 5 sections 7702, 7703.

#### § 216a. Repealed. Oct. 26, 1949, ch. 736, § 16(f), 63 Stat. 920

Section, act July 20, 1949, ch. 352, § 2, 63 Stat. 446, related to liability for overtime work performed prior to July 20, 1949. See section 216b of this title.

#### § 216b. Liability for overtime work performed prior to July 20, 1949

No employer shall be subject to any liability or punishment under this chapter (in any action or proceeding commenced prior to or on or after January 24, 1950), on account of the failure of said employer to pay an employee compensation for any period of overtime work performed prior to July 20, 1949, if the compensation paid prior to July 20, 1949, for such work was at least equal to the compensation which would have been payable for such work had subsections (d)(6), (7) and (g) of section 207 of this title been in effect at the time of such payment.

(Oct. 26, 1949, ch. 736, § 16(e), 63 Stat. 920.)

#### CODIFICATION

Section was enacted as part of the Fair Labor Standards Amendments of 1949, and not as part of the Fair Labor Standards Act of 1938 which comprises this chapter.

“January 24, 1950” substituted in text for “the effective date of this Act”. See Effective Date of 1949 Amendment note set out under section 202 of this title.

#### § 217. Injunction proceedings

The district courts, together with the United States District Court for the District of the Canal Zone, the District Court of the Virgin Islands, and the District Court of Guam shall have jurisdiction, for cause shown, to restrain violations of section 215 of this title, including in the case of violations of section 215(a)(2) of this title the restraint of any withholding of payment of minimum wages or overtime compensation found by the court to be due to employees under this chapter (except sums which employees are barred from recovering, at the time of the com-

mencement of the action to restrain the violations, by virtue of the provisions of section 255 of this title).

(June 25, 1938, ch. 676, § 17, 52 Stat. 1069; Oct. 26, 1949, ch. 736, § 15, 63 Stat. 919; Pub. L. 85-231, § 1(3), Aug. 30, 1957, 71 Stat. 514; Pub. L. 86-624, § 21(c), July 12, 1960, 74 Stat. 417; Pub. L. 87-30, § 12(b), May 5, 1961, 75 Stat. 74.)

#### AMENDMENTS

1961—Pub. L. 87-30 substituted “, including in the case of violations of section 215(a)(2) of this title the restraint of any withholding of payment of minimum wages or overtime compensation found by the court to be due to employees under this chapter (except sums which employees are barred from recovering, at the time of the commencement of the action to restrain the violations, by virtue of the provisions of section 255 of this title” for “; *Provided*, That no court shall have jurisdiction, in any action brought by the Administrator to restrain such violations, to order the payment to employees of unpaid minimum wages or unpaid overtime compensation or an additional equal amount as liquidated damages in such action”.

1960—Pub. L. 86-624 struck out reference to the District Court for Territory of Alaska.

1957—Pub. L. 85-231 included the District Court of Guam within the enumeration of courts having jurisdiction of injunction proceedings.

1949—Act Oct. 26, 1949, included a more precise description of United States courts having jurisdiction to restrain violations and inserted proviso denying jurisdiction to order payment of unpaid minimum wages, overtime, and liquidated damages in injunction proceedings.

#### EFFECTIVE DATE OF 1961 AMENDMENT

Amendment by Pub. L. 87-30 effective upon expiration of one hundred and twenty days after May 5, 1961, except as otherwise provided, see section 14 of Pub. L. 87-30, set out as a note under section 203 of this title.

#### EFFECTIVE DATE OF 1957 AMENDMENT

Amendment by Pub. L. 85-231 effective upon expiration of ninety days from Aug. 30, 1957, see section 2 of Pub. L. 85-231, set out as a note under section 213 of this title.

#### EFFECTIVE DATE OF 1949 AMENDMENT

Amendment by act Oct. 26, 1949, effective ninety days after Oct. 26, 1949, see section 16(a) of act Oct. 26, 1949, set out as a note under section 202 of this title.

#### TERMINATION OF UNITED STATES DISTRICT COURT FOR THE DISTRICT OF THE CANAL ZONE

For termination of the United States District Court for the District of the Canal Zone at end of the “transition period”, being the 30-month period beginning Oct. 1, 1979, and ending midnight Mar. 31, 1982, see Paragraph 5 of Article XI of the Panama Canal Treaty of 1977 and sections 2101 and 2201 to 2203 of Pub. L. 96-70, title II, Sept. 27, 1979, 93 Stat. 493, formerly classified to sections 3831 and 3841 to 3843, respectively, of Title 22, Foreign Relations and Intercourse.

#### TRANSFER OF FUNCTIONS

Functions relating to enforcement and administration of equal pay provisions vested by this section in Secretary of Labor transferred to Equal Employment Opportunity Commission by Reorg. Plan No. 1 of 1978, § 1, 43 F.R. 19807, 92 Stat. 3781, set out in the Appendix to Title 5, Government Organization and Employees, effective Jan. 1, 1979, as provided by section 1-101 of Ex. Ord. No. 12106, Dec. 28, 1978, 44 F.R. 1053.

#### CROSS REFERENCES

Action by employee to recover unpaid minimum wages or unpaid overtime compensation and liquidated damages, see section 216 of this title.